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10 Attorneys for Defendants OCWEN LOAN SERVICING, LLC, DEUTSCHE
11 BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR IXIS REAL
12 ESTATE CAPITAL TRUST 2005-HE3 MORTGAGE PASS THROUGH
13 CERTIFICATES, SERIES 2005-HE3 (erroneously sued as DEUTSCHE BANK
14 NATIONAL TRUST COMPANY), DEUTSCHE BANK NATIONAL TRUST
15 COMPANY, AS TRUSTEE FOR IXIS REAL ESTATE CAPITAL TRUST 2005-
16 HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3
17 (erroneously sued as IXIS REAL ESTATE CAPITAL TRUST 2005-HE3), AND
18 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., and
19 WESTERN PROGRESSIVE, LLC

20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA—EUREKA**

22 CHRISTOPHER GENE LYMAN;
23 JESSICA HELEN O'DANIEL,

24 Plaintiffs,

25 vs.

26 SAXON MORTGAGE SERVICES,
27 INC.; OCWEN LOAN SERVICING,
28 LLC; FIRST NLC FINANCIAL
SERVICES, LLC; and DOES 1
through 100 , inclusive

Defendants.

Case No: 1:11-cv-00433-NJV

**[PROPOSED] CASE
MANAGEMENT ORDER**

27 On July 24, 2012 at approximately 2:00 p.m., this Court called a scheduled
28 and ordered Case Management Conference for hearing. Christopher Neary

1 appeared on behalf of Plaintiffs CHRISTOPHER GENER LYMAN AND
 2 JESSICA O'DANIEL ("Plaintiffs"). Jason K. Boss appeared on behalf of
 3 Defendants OCWEN LOAN SERVICING, LLC ("Ocwen"), DEUTSCHE BANK
 4 NATIONAL TRUST COMPANY, AS TRUSTEE FOR IXIS REAL ESTATE
 5 CAPITAL TRUST 2005-HE3 MORTGAGE PASS THROUGH
 6 CERTIFICATES, SERIES 2005-HE3 (erroneously sued as DEUTSCHE BANK
 7 NATIONAL TRUST COMPANY), DEUTSCHE BANK NATIONAL TRUST
 8 COMPANY, AS TRUSTEE FOR IXIS REAL ESTATE CAPITAL TRUST 2005-
 9 HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3
 10 (erroneously sued as IXIS REAL ESTATE CAPITAL TRUST 2005-HE3)
 11 ("Deutsche Bank as Trustee"), MORTGAGE ELECTRONIC REGISTRATION
 12 SYSTEMS, INC. ("MERS"), WESTERN PROGRESSIVE, LLC (collectively
 13 "Defendants"). Elizabeth Thompson appeared on behalf of Defendant SAXON
 14 MORTGAGE SERVICES, INC. ("Saxon").

15 The Court having reviewed the parties' previously filed Joint Case
 16 Management Statement, and having found good cause appearing herein, adopted,
 17 in part, the Joint Case Management Statement, and herein **ORDERS** as follows:

18 The last day for the parties to join additional parties to this case is scheduled
 19 for **August 24, 2012**.

20 Expert reports from retained experts under *F.R.C.P.* Rule 26(a)(2) are due
 21 to be filed and served by no later than **February 1, 2013**. Supplementation of
 22 Disclosures and Responses shall be governed by *Federal Rules of Civil
 23 Procedure*.

24 The last day to complete discovery, including expert and general discovery,
 25 shall be **April 15, 2013**.

26 The last day to file potentially dispositive motions shall be **June 3, 2013**.

27 The last day for this Court to hear potentially dispositive motions shall be
 28 **July 2, 2013**.

The last day for the parties to engage in a settlement conference and/or complete Alternative Dispute Resolution (ADR) shall be **August 1, 2013**.

A Final Pre-Trial Status Conference shall be conducted on **August 12, 2013** at 9:00 a.m. At that time all pre-trial documents, including trial briefs, jury instructions, voir dire questions, and motions in limine, shall be submitted.

Trial of the above entitled matter shall begin on **August 26, 2013** at 9:00 a.m. in Department 205a of above court located at 514 H. Street, Eureka, California.

IT IS SO ORDERED.

Dated: August 1, 2012


HON. NANDOR J. VADAS

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action. My business address is 9970 Research Drive, Irvine, California 92618.

On July 27, 2012, I served the following document described as:

[PROPOSED] CASE MANAGEMENT ORDER

On the following interested parties in this action:

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Inc.*

BY ELECTRONIC MAIL: I transmitted the document(s) listed above electronically either by e-mail or by electronic filing through the CM/ECF System to the e-mail addresses listed above. I am readily familiar with Microsoft Outlook's e-mail system and the United States District Court's CM/ECF System, and the transmission was reported as complete without error.

I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

Executed on July 27, 2012, at Irvine, California.

Courtney Hershey